

EXPRESS ABANDONMENT UNDER 37 CFR § 1.138 TO:MAIL STOP EXPRESS ABANDONMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Appln. No.		10/599,446
	Filing Date		February 8, 2007
	First Named Inventor		Yoshinori MORIYAMA
	Art Unit		1651
	Examiner Name		Kade Ariani
	Docket Number		Q97450
	Title	FUNCTIONAL FOOD FOR AMELIORATING ENDOGENOUS MELATONIN SECRETION RHYTHM AND FUNCTIONAL FOOD FOR AMELIORATING CIRCADIAN RHYTHM	

Please **check only one** of boxes 1 or 2 below:

(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

1. ☐ **Express Abandonment**

I request that the above-identified application, but not the invention disclosed therein, be expressly abandoned as of the filing date of this paper.

2. ☒ **Express Abandonment in Favor of a Continuing Application**

I request that the above-identified application, but not the invention disclosed therein, be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See MPEP § 711.01.

TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.

I am the: ☐ applicant.

☐ assignee of record of the entire interest. See 37 CFR § 3.71.

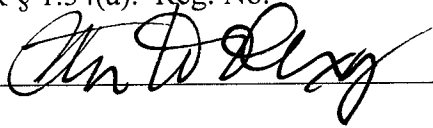
Statement under 37 CFR § 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Reg. No. 24,513

☐ attorney or agent acting under 37 CFR § 1.34(a) (may act under 37 CFR § 1.34(a) only if box 2 above, stating that the application is expressly abandoned in favor of a continuing application, is checked). Attorney or agent registration number if acting under 37 CFR § 1.34(a). Reg. No.

/Peter D. Olexy/

Signature



December 7, 2007

Date

Peter D. Olexy

Typed or printed name

202 663-7060

Telephone Number

SUGHRUE MION, PLLC

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ **Total of 1 form is submitted.**